New-York Daily Times.

VOL. VI.—NO. 1679. NEW-YORK, THURSDAY, FEBRUARY 5, 1857. PRICE TWO CENTS.

This is followed by a long defense of his course, couched in rather strong language.

The Secretary of War replies again December 20, reviewing the matters in controversy at great length, and exposing many matters of Gen. Scott's money dealings with the Government; returning to one item, the Secretary says:

"You can not pillow you what you paid in your-self. That payment to yourself—what a transaction it is! What could have been more inconsistent with your generosity and magnanimity which should have granted the first to rank among a band of gallant soldiers? For, according to yourself, the whole per-sonal expenses paid by the city of Mexico were emburdened by their victorious arms."

The General, under date of January 31, 1856, re-plies to this intimation:

"Such continued recklessness of character would only proceed from one whose low condition in fact accord with the title of 'The Traverse.'"

He is again lengthy, and referring to items not men-tioned by Secretary DAVIS, says: "For re-venge, the slanders respecting the trial of 1815 was disinterred by your letter of September, which, being refuted in the same month is now re-produced with variations."

What shameful inevitable! Basely encountered through, To endure the slightest darkness thread spare; Declare the web of conspiracy; in vain— The countenance on his dirty mask sneak.

The following is the reply of Secretary DAVIS:

WAR DEPARTMENT, Feb. 20, 1856.

SIR: I received your letter dated Jan. 31, and pro-ceed to notice its contents.

You have persisted in making your letters official, and I feel bound upon me the obligation to re-ceive them and reply in such terms as seem to me appropriate, to the business accusations which derive their only importance from the high standing you occupy.

Another instance of your capacity, in the same breath to beg for sympathy and utter slander, is your accusation that I have endeavored to prevent a duel with an old soldier, known to be so lame in both arms as to write with difficulty and pain.

Those ignorant of the fact, that the great dis-ability of which you complain, was the result of a fall upon the pavement in New-York, would naturally infer from the introduction of the phrase 'old sol-dier,' that you were by wounds received in battle, dis-qualified for self-defence, and every generous heart that believed your assertion, would visit with indig-nant censure the unmanly attempt to involve a wounded veteran in personal combat. But no such purpose was entertained. You had given notice to the world that you would not act upon the sentiment which makes a gentleman responsible to any one whom he assails in the vigor of manhood. You pleaded a sense of religion and patriotic scruples, as reasons for not answering to the personal defiance of an aggrieved officer. Gen. JACKSON, your superior in military rank, and infinitely above you in every other respect—and it was not to be supposed that you would, at this time, take different ground. But no disability, no age, no plea of conscientious scruples can be admitted, to shield a slanderer from rebuke, and when you gratuitously imputed to me motives injurious and offensive to me as a man, I addressed to you an unofficial note, and fixed on you the brand of falsehood, which you vainly endeavor to wash away with your unfailing flood of abusive epithets.

Your obedient servant, JEFFERSON DAVIS.

To Brevet Lieutenant General WINFIELD SCOTT, U. S. A.

To this communication General SCOTT replies as follows, under date of March 29:

"Again you recur to my past history and my Court Martial of 1815. Now your 'thrice-told tale,' again and again refuted and put to shame, but which, with Caliban malice, that needs must curse, you are likely to reproduce to the end of the chapter, if only to give me the advantage, as you say, of referring to a particular passage of my history—this, to such a spirit, if not victory, is yet revenge."

To this the Secretary of War returns a lengthy re-ply, and General SCOTT again retorts—

"My silence, under the new provocation, has been the result first of pity, and next of forgetfulness. Com-passion is always due to an enraged imbecile who lays about him blows which hurt only himself, or who, at worst, seeks to stifle his opponent by the dint of naughty words."

The following is the concluding letter of the corre-spondence:

WAR DEPARTMENT, May 27, 1856.

SIR: I have received your letter of the 26th inst. The delay for which you make a hypocritical apology has strengthened you to resume the labor of vituperation, but having only in this correspondence stamped you with falsehood, and whenever you have presented a tangible point, convicted you by conclusive proof, I have ceased to regard your abuse, and as you present nothing in this letter which requires remark, I am gratified to be relieved from the necessity of furthe-exposing your malignity and depravity. Your obe-dient servant, JEFFERSON DAVIS.

Brevet Lieut.-Gen. WINFIELD SCOTT.

Mr. Simonton Before the Investigating Com mittee—The Central American Treaty, &c.

WASHINGTON, Wednesday, Feb. 4.

Mr. SIMONTON, although weak from recent ill ness, appeared before the Select Committee to-day; and after remaining two hours, became so sick that they insisted on discontinuing the examination. His counsel, Mr. BRADLEY, was not permitted to be present.

Hon. REVERDY JOHNSON, and Messrs. GILBERT and CHASE of the House, have been examined.

The Central American Treaty was again discussed for three hours to-day in Executive session of the Senate, but was not concluded. [Our special dis-patch above states differently.]

The Secretary of War, in reply to Mr. SEWARD'S resolution, says that from military considerations the Niagara River should be surveyed.

XXXIVth Congress—Second Session.

SENATE.... WASHINGTON, Wednesday, Feb. 4.

SENATOR FROM RHODE ISLAND.

Mr. ALLEN presented the credentials of JAMES J. SIMMONS, elected Senator by the Legislature of Rhode Island.

THE SCOTT AND DAVIS CORRESPONDENCE.

Mr. WELLER, from the Committee on Military Af-fairs, reported in favor of printing the documents re-cently communicated relative to Gen. Scott's pay.

Mr. CRITTENDEN suggested that the time required to print such a large document would defeat the ob-ject of the House bill relative to the pay of General SCOTT.

Mr. WELLER responded that upon an examination of the correspondence between the Secretary of War and General Scott, the Committee on Military Af-fairs were satisfied that justice to both parties re-quires that the whole should be printed, and if the order be made now it can be laid on the table as early as next Monday, and within two or three days after that time the Committee will probably be able to re-port back the bill now before them. It was with re-gret that he was obliged to state that a portion of the correspondence was of an angry character.

Mr. BELL, of Tennessee, inquired whether the Com-mittee could not decide which portions of the corre-spondence ought to be suppressed and which printed. He thought the personal controversies of these gen-tlemen was not necessary to be published, in order to understand the arguments relative to the bill be-fore the Senate.

Mr. WELLER replied that the Committee could not do that without subjecting themselves to the imputa-tion of doing so for the purpose of favor of the parties. As the case now stood, if the Senate chose to do justice to both parties, the whole correspondence ought to be published.

Mr. PEARCE would be obliged to vote against the motion to print the correspondence. A portion of it was very unfortunate in its nature and could not be essential to the merits of the question. To publish this correspondence and recrimination would subserve no purpose of public utility, and would furnish rather a fund for scandal, judging from what he could hear. Un-less the correspondence could be expurgated, he would be obliged to vote against printing any portion of it.

Mr. FITZPATRICK observed it could not be denied that some of the letters of Gen. Scott were characterized by bitterness and harshness of style not necessary to a proper understanding of the question now before the Sen-ate, with reference to the propriety or not to increase the pay of General SCOTT. The Committee, with every desire to do what is right and proper, were of the opinion that to omit the publication of any part of the correspon-dence might subject them to the suspicion of an at-tempt at favoritism. He thought it ought to be pub-lished entire, although he regretted to see some harsh language in it.

Mr. BRIGHT, of Tennessee, as a member of the Mili-tary Committee, said no man could regret that corres-pondence more than he did, for the reason that he was the friend of both the gentlemen—but, whom most complaining, official position chooses to have a corres-pondence of that character, the country has a right to know it. The public now have the impression that there is such a correspondence, and no one was for the suppression of it from the record. But the whole be pub-lished, and let them stand or fall on their own merits. His opinion was that both the gentlemen have cause to regret the correspondence—that, however, was not a reason why it should not be published.

Mr. BELL, of Tennessee, inquired whether the Com-mittee would be willing that the correspondence should be printed without the letters of Gen. Scott?

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New-York Daily Times.

NEW-YORK: THURSDAY, FEB. 5, 1857.

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NEWS OF THE DAY.

Our Washington correspondent informs us that the Central American Treaty was yesterday recommitted to the Committee on Foreign Affairs, by a vote of five to one. This indicates its rejection by that body, as a two-thirds vote is required to confirm it. Such a proceeding cannot fail to complicate the relations between Great Britain and this country.

The *hostile* correspondence between JEFFERSON DAVIS and Col. W. H. RUSSELL in 1850, which has made a great deal of noise from that day to this, has at last come to light. It has usually been reported that Col. RUSSELL showed such an unmistakable purpose to give Col. DAVIS a fatal meeting, that the latter did not press the matter. It seems now that Col. RUSSELL, after the receipt of a challenge from Col. DAVIS, made such a modification of his original reply to the first note as proved to be entirely satisfactory, adding the "gallant and distinguished services" of the Mississippi regiment of Buena Vista.

The Coroner's Inquest into the murder of Dr. BURDELL was continued yesterday. For those who do not care to read the whole as given in our detailed report, the following summary may suffice:

HORACE H. LADD was then examined. He had done business for Mr. CUNNINGHAM while he lived in Brooklyn, and upon Mr. C. becoming embarrassed had furnished him money, taking as security a policy for $5,000 on his life. Out of this policy, upon the death of Mr. CUNNINGHAM, witness reimbursed himself and paid the balance to a Mrs. VAN NESS. Mrs. CUNNINGHAM also had a policy for $5,000, which witness collected and invested the proceeds for her in real estate. He saw Mr. CUNNINGHAM frequently during his sickness, which continued some months after his return from California. Witness understood that he died of consumption, and never heard any intimation of any foul play in regard to it. Witness had seen Dr. BURDELL and Mrs. CUNNINGHAM several times, and had never noticed anything but a friendly feeling between them. He knew nothing whatever about the murder.

THOMAS CHILDERS, a lad who lived with Dr. Burdell last Fall, was sworn and testified that he had been placed by Mrs. Cunningham to watch Dr. Burdell and Mrs. Stevens who came there frequently; the only conversation he was ever able to catch was hearing the Doctor ask Mrs. Stevens how her eyes were.

Mr. Alex. Fraser, Vice-President of the Artizans' Bank, testified that Dr. Burdell showed him the agreement by which all differences with Mrs. Cunningham were settled, and that he told him he intended to send it to Herkimer County for safe keeping, and to get possession of his house in May; he knew nothing of the murder.

Henrietta Hollgrove, servant girl at the next door, No. 29 Bond-street, was examined. She went to bed at eleven on the night of the murder, but heard no noise whatever, and perceived no smell of burning clothes.

Philipina Eckhart also lived at No. 29 Bond-street and went up stairs to bed at about the same time, but neither heard nor smelt anything; she had not heard any one speak of having heard a deep groan in this house.

Mrs. Schwarzwelder, the lady who lived next door, No. 29, knew Dr. Burdell by sight, but none of the other inmates of this house; from 7 to 11 o'clock on Friday evening, she was in the basement of her house, and then went to her bedroom, which is on the same floor and corresponds with the room where the murder was committed—two partitions and a hall intervene; she heard neither groan, nor cry, nor noise of any kind; all was quiet as usual; the door from her room into the hall was open; her husband came in at about 12 o'clock; she had not slept, but might have dozed meantime.

Mrs. SARROUX, a clairvoyant lady, testified to frequent visits from Mrs. CUNNINGHAM and to complaints from her of proceedings in the house. Mr. EVERARDS, ECKEL'S clerk, testified to ECKEL'S coming to the store very early on Saturday morning to keep a business engagement and to the calling upon him during the day of a Miss BAUER, who had called upon him weekly for money.

This above gives the substance of all the evidence elicited at the inquest yesterday.

The steamship *Bostia*, now in her fifteenth day, had not been heard from up to the time of going to press.

In the United States Senate yesterday, the credentials of JAMES J. SIMMONS, as Senator from Rhode Island, were presented. The Committee on Military Affairs reported in favor of printing the documents relative to General SCOTT'S pay under the new law making him Lieutenant-General, including all the correspondence between him and the Secretary of War. A debate ensued as to the propriety of suppressing portions of the correspondence,—some Senators contending that justice to all parties required the printing entire, while others argued that public legislation did not require the exposure, and, besides, it would be painful to the friends of the parties involved. The Senate finally voted to print the documents entire. Some of the correspondence is of an exceedingly angry character. In the House, a bill was introduced to equalize the Army, Navy and Marine Pensions. The Committee on Elections reported in favor of the right of Mr. HALL to the Iowa contested seat. The joint resolution giving to each branch of Congress the control of its contingent fund, without the supervision of the Treasury officers, was passed by a majority of 27. The Senate Submarine Telegraph bill was reported favorably from the Committee of Ways and Means, and a motion to lay it on the table was lost, by a very decisive vote. An attempt will be made to-day to dispose of the matter. The Senate's amendments to the Diplomatic and Consular Appropriation bill were concurred in. Several party speeches were made in Committee of the Whole on the Tariff bill.

In the State Senate yesterday, the Supply bill for 1856 was finally passed, and it is now a law. Notice was given of a bill relative to the City Judge of this City, confining his jurisdiction to the Court of Special Sessions, and compelling him to hold sessions daily. It provides for jury trials—all cases of misdemeanors to be tried before the City Judge. The report of Dr. HARRIS, the Quarantine Physician, containing a history of the epidemic of last year, was presented. In the Assembly, a bill was reported from the Judiciary Committee providing for the appointment of Loan Commissioners by the Supervisors of the several counties, and to amend the Loan and Deposit Act. The bill was accompanied by a report bearing upon the constitutionality of the appointment by the Governor or Legislature of City or county officers. Bills were introduced to form a new Ward from parts of the Twelfth and Nineteenth, and to protect gas consumers in this City. A motion to appoint a Special Committee to investigate the affairs of the Commissioners of Emigrant on was laid over. An unsuccessful effort was made to call from the table the resolution relative to the expediency of enacting a Prohibitory Law.

By the arrival at this port, yesterday, of the steamship *Orizaba* we have intelligence from Cuba to the 30th ult. No political news is reported. Our correspondents furnish an interesting budget of Havana Gossip.

GRAHAM L. FITCH for the vacancy, and JESSE D. BRIGHT for the full term, were elected yesterday in the U. S. Senate by the Democrats of the Indiana Legislature, without the concurrence of the Senate, and in opposition to the protest of that body. Twenty-six of the Senators were present, but the Convention still lacked fifteen of a quorum.

An investigation into the charge of a violation of her person, under very singular circumstances, at a hotel in this City, preferred by Miss SALLIE STAFFORD, of Vermont, against Mr. BENJAMIN M. BARTON, a well-known merchant of Philadelphia, was begun yesterday before Justice OSBORNE, at the First District Police Court. The complainant was put upon the stand, but before her cross-examination had been concluded she became suddenly faint, and was obliged to leave the Court room, thus causing the case to be adjourned to another day. Miss STAFFORD is in her twenty-seventh year, and Mr. BARTON appears to be about forty-two years of age.

A passenger arrived by the *Columbia*, brings news to the 21st ult. from Greytown. He says a steamer was just ready, with steam up, to go up the San Juan to the relief of WALKER.

In the Board of Aldermen yesterday, a resolution was adopted empowering the Committee on Ferries to inquire why the Union Ferry Company have discontinued running boats on the Gouverneur-street Ferry. Nothing else of importance was transacted. The Board was in session 30 minutes.

At the Board of Councilmen, after tedious discussion and many amendments, the sum of $1,000 was proposed for the detection of the murderers of Dr. HARVEY BURDELL, but the question was lost for want of a constitutional vote. The rest of the business of the sitting was very desultory. Some warm altercation arose respecting the relation of the Common Council to the Legislature, and the resolution of the previous sitting as to a proposed remonstrance, was adopted.

At the meeting of the Academy of Medicine last evening Dr. PARKER retired from the presidency, and Dr. VALENTINE MOTT succeeded him with the customary addresses. Dr. ISAACS then read an elaborate paper upon the Functions of the Kidney, in continuation of the paper read at the March Meeting. It is one of those papers that make a world-wide reputation for the writer and elevate the character of the Society from which it emanates.

The Fillibuster examination was continued yesterday. Mr. MORGAN, of the house of MORGAN & SONS, was the only witness called. Nothing of importance was elicited on his direct examination, but on his cross-examination he testified as to his acquaintance with Gen. CAZNEAU, that the latter owned part of a mine in Chontales; that Col. FABENS is also interested in the mine, and that FABENS and CAZNEAU were both interested in the Mosquito grant. Objection was made by the District-Attorney to a question as to President PIERCE'S interest in the Mosquito business, when a letter was offered to be put in evidence, written by SIDNEY WEBSTER, and having upon it the President's frank, which caused considerable excitement, and the investigation was rather summarily adjourned.

HARRY HOWARD is to be our next Chief Engineer of the Fire Department of this City. The official result of the election for that officer, held on Tuesday night, was announced last night at Stuyvesant Institute as follows: HOWARD, 1,547; CARSON, 1,396; Scattering, 46.

The Mystery of the Murder.

Not the least progress was made yesterday towards discovering the murderer of Dr. BURDELL. Indeed the mystery seems to grow deeper and more impenetrable with every successive step of the investigation. It was natural that suspicion should first fasten upon the inmates of the house. The Coroner from the beginning evidently assumed that they were the guilty parties; and the inquest has been conducted upon this impression. Testimony has been sought rather to make it probable that they were the murderers, than to elicit all the facts connected with the murder. Yet with every successive step in the inquiry one after another of the suspicious circumstances is explained, and we presume every lawyer will agree with us in saying that, at this moment, there is not the slightest legal evidence to convict any of the inmates of the house of any connection with this horrid crime.

It has been proved that Doctor BURDELL and Mrs. CUNNINGHAM had been on unfriendly terms; that she had commenced suits at law against him, and complained of him as having done her wrong. But it is also shown that these suits had been withdrawn, and that all their differences had been amicably and finally settled. It is claimed that she tried to entrap him into marriage; and while she claims to have succeeded, it is alleged, or rather suspected, that this was false, and that he was personated in that ceremony by Mr. ECKEL. But this is by no means proved; and if it were, it would fall very far short of evidence to support the charge of murder. On the other hand it is shown that on the night of the murder she invited her two daughters to sleep with her for the first time, because they were going away early in the morning, and that they did so. This is absolutely incompatible with the supposition that she took any personal and premeditated part in that murder,—except on the incredible supposition that she voluntarily admitted those daughters to a knowledge of her share in that transaction, or the still more monstrous hypothesis that they also shared her guilt. They have not yet been examined; but we presume they will testify to her not having been absent from her bedroom after 11 o'clock on the night in question. The most extraordinary latitude has been permitted in the introduction of testimony to blacken her character, apparently for no other purpose but to show that she was *capable* of the crime. The suspicions cast upon the manner of her first husband's death were dissipated yesterday by Mr. LADD'S evidence that he died of consumption after a sickness of nine months. Nothing that she has said or done since the murder,—upon first hearing of it or at any other time, seems to us to furnish even presumptive evidence of her guilt.

With regard to ECKEL, the case against him is not one whit more clear. He disliked Dr. BURDELL, as did many other persons in the community, and probably with much less reason. But nothing whatever is shown that indicates him as the Doctor's assassin. The circumstances which at the outset looked suspicious are gradually explained. He left the house at an unusually early hour the next morning;—but abundant proof shows that this was in pursuance of a business engagement which he kept, all the details of which have been fully shown. The statement that Mrs. CUNNINGHAM went to his store in a carriage that day, and received from him a roll of bills, has been disproved, and it is shown that he took his account-books from the store for the purpose of examining and posting them at his rooms on Sunday. Neither this, nor anything else that he has said or done, seems to us at all conclusive as to his participation in the murder. And in regard to young SNODGRASS, the presumption of guilt, warranted by evidence, is still weaker. The two little sons of Mrs. CUNNINGHAM slept in his room that night, as usual, and nothing has yet been adduced to show that he was absent from it. The bloody clothes found in the garret have been accounted for: the dagger found in one of the rooms, it is settled, was not large enough to have inflicted the stabs;—the papers found in ECKEL'S room were in Mrs. CUNNINGHAM'S desk, and they belonged properly to her rather than to Dr. BURDELL, being stipulations, checks, &c., made by him for her benefit;—and so far as we can perceive, nothing whatever has yet been proved which warrants a well-grounded belief, or even a legal presumption or suspicion, that the deed was perpetrated by the inmates of the house.

ECKEL'S case is perhaps involved in more doubt than that of any of the others:—but this is owing to the fact that no clear account has been given of him during the evening from 7 o'clock until 11. But he has not been closely questioned upon it. And it must be remembered that both he and Mrs. CUNNINGHAM, as well as SNODGRASS and the daughters, have been kept in close custody,—without any legal process or accusation of crime, and without permission even to see their counsel, from the beginning of this inquiry. Not the slightest opportunity has been given them for explanation or for cross-examining witnesses summoned virtually to make out a case against them. A *habeas corpus*, we presume, would at once release them from this position and enable them to avail themselves of their legal rights: and it is an indication of conscious innocence on the part of their friends that this remedy has not been invoked. As long as they are thus debarred from self-defence, justice requires that they should not be held guilty in the public judgment.

The great difficulty which the public encounter in acquitting the inmates of the house, probably grows out of the fact that such a deed should have been done, at such an hour, and no person within have heard the faintest sound of any kind whatever. If Mr. BROOKS is correct in saying that he heard the cry of *murder*, at half-past ten, or a quarter before eleven,—and if the cry thus heard was that of BURDELL, it adds greatly to the mystery of this utter ignorance on their part. SNODGRASS went down through the hall to the basement at half-past ten, lighting a gas-light in Dr. BURDELL'S hall on the way,—returned, extinguished it, went up to Mrs. CUNNINGHAM'S room, where he staid fifteen or twenty minutes and then went to bed. HANNAH, the cook, went up to bed at about ten. From ten to eleven, Mrs. CUNNINGHAM, her daughters, ECKEL and SNODGRASS were in her room,—some of them apparently having gone to bed before eleven o'clock. Under all these circumstances it seems difficult very to fix the murder earlier than eleven o'clock, or even a quarter after, as a cry of murder from that room, with the noise of the struggle that must have taken place, would certainly have been heard by somebody. From eleven to twelve Mrs. SCHWARZWELDER was in the corresponding room of the next house, with only a wall between, through which she had frequently heard the noise of the Doctor's little dental hammer; and while she is confident she would have heard a cry or a noise of any kind, if any had been made, she heard nothing whatever. At 12 her husband came in; at 12½ Mr. ULLMAN entered, passed up the stairs, and went to bed without hearing the least noise. Under these circumstances, it seems very difficult to feel sure that the murder was committed before the hour last named; and if it was done after that hour, it was probably done *by parties who have not yet fallen under suspicion.*

The first step which should have been taken in this inquest, after fixing the facts of the murder, was to trace Dr. BURDELL from the time he left the house at 5 o'clock, according to Mrs. CUNNINGHAM, until he returned to it. *He was somewhere, and probably with somebody,* during all that time; and due diligence on the part of the authorities would certainly reveal where and with whom. There are, or were, bloodmarks upon the outside of his room door,—upon the wall of the stairway leading down, and upon the outer door,—as of a person groping his way out in the dark. It is quite possible that Dr. BURDELL may have brought some one home with him who, after conversation more or less protracted, may have killed him and then gone out. Indications certainly are not wanting, that the murderer went out at the outer door, after committing the act; and it is annoying to think of the abundant time he has had, while inquiry has been pushed in other directions, to destroy all traces of the act if the investigation should ever turn towards him. It seems to us highly important that this field should be explored,—that Dr. BURDELL'S whereabouts during that evening should be ascertained, and special inquiries of the Police and others be made in regard to anybody seen in the vicinity of the house late that night.

All this may prove unavailing,—but nothing should be left undone that can throw the least light upon this horrible affair.

GEN. SCOTT AND THE SECRETARY AT WAR.—Bits of the correspondence between General SCOTT and Secretary JEFFERSON DAVIS, recently communicated to Congress, have been made public. They foreshadow the opening of a budget which, for the credit of the country as well as of the parties concerned, ought to be suppressed. Both of these gentlemen have sufficient ability to be very abusive towards each other. Their friends would much rather give them the credit of its possession than witness its exercise.

The Coroner.

The Coroner, yesterday, took notice of the comments of the Press upon the manner in which he has conducted the inquest into the murder of Dr. BURDELL. He presented a note from Mrs. CUNNINGHAM, denying, in the most explicit manner, a statement contained in the *Tribune* of Monday, that she had been subjected to an indecent examination of her person; and while admitting the right of the Press to comment freely on all public matters, he protested his own profound anxiety to sift all the circumstances relating to this horrid murder. He apologized for the jocular remarks he has made to witnesses, by saying that he could sometimes elicit evidence in that way which would not otherwise be given: and said he should be very glad of the assistance of the District-Attorney or any other public officer in the discharge of this difficult and responsible duty.

We have not the slightest doubt of the Coroner's sincerity in these remarks, or of his earnest desire to detect the perpetrators of this horrible murder. But we still think his course of procedure has been unfortunate, especially in assuming at so early a stage of the inquest the guilt of particular individuals, and directing the investigation almost exclusively to matters which should implicate them. There was an evident disposition yesterday to remedy this, and witnesses were examined who should have been among the first to be heard. As to the levity and jocularity of remarks which have been made by the Coroner at previous stages of the inquest, there is nothing to be said in excuse for them. We are glad to perceive that he has corrected his habit in this particular.

The Coroner said all he asked in this investigation was the aid and support of the public. He is sure to have it—and that of the Press, which is but the organ of the public—in every honest, proper and well-directed effort towards unraveling this horrid mystery. The censures he has incurred were universal, and they were elicited by a feeling on the part of the whole community, that he was pursuing a very unfortunate and fruitless course, and that his remarks to witnesses were often in the highest degree indecent and revolting. We feel bound to say that, in his remarks yesterday, the Coroner exhibited a very proper feeling in regard to the matter, and evinced a disposition to refrain hereafter from the acts which had elicited the comments of the public and the Press.

PHILADELPHIA IN AN ECSTACY.—It having been announced in one of our City papers that a subscription had been taken up to open Buttermilk Channel by cutting through the ice, the Philadelphia *Ledger* seizes upon the occasion to get off a paragraph on "Troubles in New-York." But while they were talking about cutting through Buttermilk Channel, that famous Strait took the liberty of clearing itself, and saved all further trouble. There are old people living on Long Island who remember when they could have walked across Buttermilk Channel dry shod, and it is now about as essential to the commerce of New-York as the sewer in Canal-street. But if the Philadelphians can derive any satisfaction from knowing that Buttermilk Channel was closed with ice, we are very sorry it could not have been kept closed a while longer. In the meanwhile they are publishing long essays in the Philadelphia papers on the best means of rendering the Delaware navigable in Winter.

Mr. JOB R. TYSON is publishing a series of letters in the *Pennsylvanian* in which he states that even Philadelphia merchants prefer to import their merchandize from Europe by the way of New-York. He makes the following very remarkable statement for which he doubtless has good authority, and if it is true, it proves how utterly hopeless any attempt must be to establish a line of steamers between Philadelphia and Europe:

"A line of four noble steamers was established between our port and Liverpool; but owing to neglect and the absence of encouragement, two have been transferred to New York. But, Mr. Editor, is the flinty ice in the Delaware sufficiently broken to allow the two steamers to reach their wharf? If their voyages be interrupted by a chain of ice-embargo, how long can Philadelphia expect to retain them, in the vicinity of a watchful, an ambitious, and a colossal rival? I am informed that while two vessels which sail from New-York, now obtain, from *Philadelphia* emporters, rich and abundant freights at Liverpool, a custom which was withheld when sailing from our port, and which if supplied, would have been more than adequate to supply the necessary cargoes."

SOUTHERN INDEPENDENCE.—Our Southern brethren are felicitating themselves on the prospect of being able to keep cool during the heat of next Summer without the aid of Northern ice. They are harvesting in their crop of ice, and during the sweltering weather of July they will have the satisfaction of imbibing juleps and cobblers composed of ice which was saved by Slave labor, a luxury they have not been able to indulge in heretofore.

The Meat Markets.

There was but a limited supply of beef cattle offered at Forty-fourth-street yesterday, though the total receipts for the week past (3,543) have been about equal to the demand. Prices advanced yesterday but a mere trifle over those ruling a week ago—but the general quality of the stock offered was inferior. Pork is somewhat scarce, but other kinds of meat is in moderately fair supply.

LEAKY.—We learn from Washington that the correspondence between General SCOTT and Secretary DAVIS, which was sent into the Senate on Monday, was confided to the care of Senator WALKER, who declined to permit the correspondent of the Associated Press to make extracts from it until after the Senate should have disposed of it. If the Senate deems it worth while to inquire how its most confidential documents find their way into certain newspapers, they would probably be enlightened by calling on Senator WALKER. Would the new law concerning witnesses reach his case?

GAMMON.—The Boston *Journal* gives a letter from its New-York correspondent the following startling heading:

"*New-York a City of Blood—Horrid Murder of Dr. Burdell—Men Stabbed in the Street—Garroted and Robbed to Daylight—No Arrests Made—General Alarm—Vigilance Committee Called.*"

This is superlative nonsense; and it seems more foolish in Boston than in New-York or Albany, inasmuch as no political purpose can be answered by it there.

A NEW ASSOCIATION.—A large number of the houses engaged in the Earthenware business in this City are taking steps to organize themselves into an Association similar in its plans and purposes to the Hardware Association already in existence. These societies are very useful and are becoming generally popular.

Mr. BUSBEE, formerly connected with the *National American*, of Richmond, and subsequently editor of the Norfolk *American*, and Mr. Rear. HUNTSON of Warren County, N. C., proceeded to Halifax, N. C., last week to engage in a "fist stop tragedy," but their design was frustrated by the arrest of one of the parties.

Arrival of the Columbia—News from Havana.

The United States Mail Steamer Columbia, J. D. BULKLEY, Esq., commander, from Port-au-Prince and Havana, arrived early yesterday morning, having left the latter place on the evening of the 26th.

The Columbia has encountered strong Northerly gales on her passage home. The English line-of-battle ship *Rifle* was in port.

The Opera Troupe would commence their performances about the 15th.

A CURIOS FAIR—THE FISH TRADE WITH KEY WEST—AN INCIDENT AT THE OPERA.

Correspondence of the New-York Daily Times.

HAVANA, Thursday, Jan. 29, 1857.

The little town of Guines is just now the centre of attraction. The inhabitants are celebrating their first annual fair, and thousands from all parts of the island have flocked there, some to dispose of their wares, some to amuse themselves in the many licit enjoyments offered by the good people of the town, but the greater number by far are drawn thither with the prospects of being enabled to make or lose a fortune at the "*Monte*" table. It is calculated that no less than twenty thousand people are now congregated in and about Guines. The Captain-General and the principal officers of this Government have been invited to attend, and Madame Rumor says they will go this afternoon to join the merry crowd. As usual, the scarcity of accommodation raises considerably the price of the Cuban cot, and I have been told that so much as ten dollars has been paid for one night's lodging! This exorbitancy almost equals the Washington hotel-keepers about inauguration times. The object of the establishment of this fair is to raise funds for the support of the municipal government of the town. The Corporation levies a tax on all transient merchants, and it is supposed that this will yield a sufficient revenue annually to defray the expenses of the new Corporation, introduced by the present Captain-General of Cuba.

We have had an arrival of fresh fish from Key West, in American bottom. The smack *Franklin Pierce*, Capt. PHILLIPS, came in under American colors, and sold her fish at eleven cents the pound. The same was afterwards retailed to the public in the markets at fifteen cents, being about half the price usually paid for this article. According to the new regulation, fresh fish is allowed to enter free of all duties, the vessel paying only the usual tonnage and port charges. This effectually puts an end to the shameful monopoly so long exercised by Señor MARLY, the proprietor of the Tacon Theatre, who has made an immense fortune in the business. I have frequently seen fish sold in this market as high as seventy-five cents the pound! Great credit is due the American house of SCHRADELLIERS & WILLIAMS, the only American ship-chandlers in this city for being the first to bring the subject before the attention of the authorities. The road is now open for all, and there can be no doubt that a large number of smacks will engage in the business. Havana is, without question, the best market for fresh fish in the world. Some few old Spaniards grumble at the concession, but the vast majority favor the action taken by the Captain-General. If the same hand only lopped off several other crying abuses of a similar nature, he would make himself more and more entitled to general praise and sympathy.

The other night whilst Madame LA GRANGE was enchanting the souls of her audience in "Lucia," there was quite a serious disturbance between one of the sentinels, that watch us even in our amusements, and a young gentleman by the name of VELLASQUEZ. It seems that he was standing in one of the doorways leading to the "parterre," and when requested to make room, abused the soldier for fulfilling his orders. The patience of the guardian of the peace was soon lost, and he applied a gentle hint with the bayonet to the young dandy's seat of honor. The weapon hardly penetrated the skin, but frightened the victim so thoroughly, that he let all of us know by his cries that he had a splendid pair of lungs. The excitement soon passed, and the performance went on as if nothing had occurred. Madame LA GRANGE has been immensely successful in "Lucia di Lammermoor" and "Norma." The Habaneros frankly confess that she is the best they have ever heard on our stage.

Col. WOOD, with his human monsters, is here, and doing remarkably well. GODARD, the French aeronaut, is also advertising an ascent for the 3d. Our weather continues uncommonly cool and pleasant. The city is still full of representatives from Yankeedom, and all seem to enjoy themselves.

Correspondence of the New-York Daily Times.

HAVANA, Friday, Jan. 30, 1857.

The steamer is under whistle and gives me only time to note that sugars of brown and yellow stripe have improved and the demand for the United States has been brisk. Other classes have remained as they were two weeks since with a shade only of variation. The United States Consul who has been looked for by the last steamer and this, has not returned to his post, but we presume he is discharging some of the most important life-obligations, as he was married, we learn by telegraph, a week last Sunday.

Cotton from the wrecked bark *Caroline* is coming into port by degrees—as fast as it can be taken from the ship. Should the weather continue favorable, no further losses are all will be saved; should it change [illegible]

Our Exchanges [illegible] 6 prem.; New York, 2½ [illegible] Coins of the United States, 4½ to 4¾. Freights active and but few vessels disengaged; boxes $1 50; hhds. Sugar, $5 50 to $6; Molasses, $3 to $3 50 ₩ hhd.

Election of Chief Engineer—Official Report.

Those selected for that purpose met last evening at Stuyvesant Institute, Broadway, to canvass the returns of the various Fire Companies for Chief Engineer of the Fire Department. There was an immense number of interested spectators.

All the returns having been received, the canvass commenced about 10½ o'clock, and was finished at 12¾ o'clock, when the result was officially announced by the Inspectors, as follows:

	Howard.	Carson.
Engine Companies	670	630
Hose Carts	549	617
Hook and Ladder	115	93
Hydrants	7	15
Board of Engineers	7	7
Total	1,347	1,396
Scattering	46	
Howard over Carson	187	
Howard over all	106	

The Garrote Rumors—Information Wanted.

EIGHTEENTH PATROL DISTRICT,
Wednesday, Feb. 4, 1857.

To the Residents of the Eighteenth Ward:

As there are a great many rumors in circulation of garroting in this District, not one of which have been reported to me, I respectfully request those who have been attacked in this District to report the same at the Station-house No. 143 East Twenty-second-street, and it will meet with prompt attention.

Yours respectfully, HARRIS WINES,
Captain Eighteenth Patrol District.

Latest from San Juan—Help ascending the Rivers for Walker.

A passenger who arrived yesterday by the *Columbia* brings news of the position of matters at San Juan on the 21st ult. He was at Greytown on that day for several hours. As he came away, Mr. SCOTT, the former Agent of the Nicaragua Transit Company, had a steamer at the mouth of the river, with 300 men on board, all ready to proceed up the river and attempt to take possession. He saw Col. KINNEY, and was told by him that he had heard from General WALKER six days previous. At that time there was a strong Stanfordian existing between the allied forces, and every probability of the Costa Ricans going over to WALKER.

General CAZNEAU had an interview with the gentleman who brings this information, and seems satisfied of its authenticity and truth.

☞ The Albany EVENING TRANSCRIPT announces that from and after the 9th inst., its price will be 12 cents per week, instead of 6d, as heretofore. The penny enterprise fails to pay, and the TRANSCRIPT is worth more than a penny. It is a handsomely printed, spicy little sheet, wide awake and enterprising, and deserves success. The owners and publishers are ROOKER BROTHERS, practical printers, well known in New-York as well as in Albany.

The Funeral of Dr. Burdell.

The crowd that assembled at an early hour yesterday morning in the neighborhood of the premises No. 31 Bond-street, had, by noon, increased to some 5,000 persons. Among them were individuals of all degrees of society. The rowdy, of course, was there; everybody who was idle was there; but there were others there who never missed any demonstration of a kindred nature unless something very extraordinary or exceedingly peculiar characterizes the incident.

THE CORTÈGE.

Containing the relatives of the deceased near, was removed to Grace Church. Notwithstanding the unpleasant state of the weather, a larger crowd than was ever known was gathered around the church, and blockaded Broadway from Union-square on one side nearly to Bond-street on the other. One half of this crowd was composed of the best-dressed ladies known to the Fifth avenue and its environments. Ladies since the funeral of PEASE, nothing has been seen in the way of a funeral cortège like that which we beheld yesterday.

Immediately the coffin was removed from the house in Bond street, a violent rush took place from all directions, each individual of the crowd being anxious to get a sight of the coffin. The undertaker and his aid quickly placed it in a most hearse, drawn by four white horses, caparisoned in black. At a quick pace they drove to Grace Church, and waited the completion of the ceremony.

Shortly after 3 o'clock, Rev. Dr. TAYLOR, Rector of Grace Church, took his place in the chancel. Long before the crowd without the church could hear a syllable, the crowd within the church was packed to an overflowing pitch. Especially at the end of the aisle across the crowd was very dense, and the carriages had great difficulty in making way through the assembled multitude. It was not until nearly or [illegible]-street that the pressure of the crowd diminished, and even until it reached Hamilton Ferry the sidewalks were thronged with people drawn together from the curiosity originated by the published reports of this awful tragedy.

The river at this point being free from ice no impediment prevented the speedy crossing of the water. It was generally understood in Brooklyn, that the procession would cross Fulton Ferry, and those who were drawn thither by curiosity to witness the scene, were thus disappointed. On arriving at Greenwood Cemetery, a lady named WILLIAMS, and calling herself a relative of Dr. BURDELL'S, joined the funeral party. She entered the reporters' carriage and stated that she herself had selected the lot in which the remains of the unfortunate man were to be interred. Not altogether the mourner did she appear there. Her excitement bore evidence of strong animosity towards Mrs. CUNNINGHAM. She said, in tones loud enough to be heard by all who were present, and with very impulsive gestures, that "The doctor's sentiments towards Mrs. CUNNINGHAM were well known to his *friends*—that he always expressed the utmost aversion to her, and, to use his own words, would rather be torn in pieces with hot pincers than marry her."

This lady, after subduing her emotion, inquired if any will had been found. She said that to her certain knowledge Dr. BURDELL, a year ago or thereabouts, had told her that he had made his will, and she thought it probable that the same will had been neither stolen or altered. She fixed the date of the theft or alteration about last October or November. The lady after this demonstration said no more, but simply subsided into grief.

The coffin inclosing the remains of Dr. BURDELL was taken from the hearse and placed on a strong deal case. The grave was dug in a spot on Locust Hill, in section No. 44—the number of the grave being 2,709.

There was no address from any individual—a few relatives stood mourning around—many strangers looked on with more curiosity. The grave lay deep and untrodden in the vicinity of the grave, while the remains of him who few days before lived the richest of our City in health and strength, were lowered to their last resting place.

LONG ISLAND.

Incendiarism.

Yesterday morning, about 10 o'clock, the upper part of the dwelling house of Mr. HAAS, on Bond-st., near Bergen, was discovered on fire in three places; but by the prompt action of the neighbors the flames were subdued before any great amount of damage was done. It appears that a servant girl, who had been in the family for three years, was discharged that morning on account of her insolence, and before leaving she threatened to have revenge. She had scarcely quitted the house ten minutes when smoke was observed to be issuing from the windows and the discovery was made. She was arrested and committed for examination.

BUSINESS NOTICES.

SALE OF GRAND-ST. PROPERTY THIS DAY, at auction, by ANTHONY J. BLEECKER, at the Merchants' Exchange—Nos. 486 and 488 Grand-st.: one is an old oyster-saloon stand; lots 15 by 80 feet each; 70 per cent. to remain on bond and mortgage if desired.

SINGER'S SEWING MACHINES—THE TIME has arrived to prepare for the spring and summer trade. He who buys a Sewing Machine now will have a great advantage over him who purchases after the hurry for work comes on. The fact that Singer's Machines and no other will answer for making clothing, shoes, hats and corsets will answer for making clothing, shoes, hats and corsets work, and all understand it. I. M. SINGER & Co.'s Gazette is just published, and is full of information about Sewing Machines. Copies sent gratis to all who apply.

I. M. SINGER & CO.,
No. 370 Broadway, New-York.

BATCHELOR'S HAIR DYE WIGS AND TOUPEES.—The best in the world; the only reliable Hair Dye known, perfect and instantaneous; harmless and unattended by its results. Applied in twelve private rooms. BATCHELOR'S WIGS surpass all; their new improvements satisfy the interested that BATCHELOR'S are permanent. Avoid the ridicule attached to bad dyes and unsightly wigs. The largest and best stock always at BATCHELOR'S, No. 233 Broadway.

WILDER'S PATENT SALAMANDER SAFE.
The only Salamander Safe made, and
THE MOST FIRE-PROOF SAFE IN THE WORLD.
Warranted free from dampness, and secured with Wilder's Patent Powder and Burglar-Proof Locks. Depot, No. 128 Water-st., near Wall-st., New-York.
H. G. WILDER & CO., Publishers and Manufacturers.

SPECIAL NOTICE.—THE ADAMS EXPRESS Company, No. 59 Broadway, respectfully give notice that their wagons have resumed making calls for freight and parcels of all description to be forwarded to the West and South. Orders left at the office will receive prompt attention. JOHN HOEY,
Freight Superintendent Adams Express Company.

AMUSEMENTS

DANCING

PERSONAL

PUBLIC MEETINGS

LECTURES.

LOST AND FOUND.

BUSINESS CHANCES.

STATIONERY.

SITUATIONS WANTED.

HELP WANTED.

TEACHERS.

BOARDING.

HOUSES TO LET.

STEAM POWER.

BOUNTY LANDS.

INSTRUCTION.

FURNITURE.

WATCHES AND JEWELRY.

HOUSES AND LOTS.

REMOVALS.

RAILROADS.

DIVIDENDS

FOR CALIFORNIA.

FOR THE SOUTH

MUSICAL INSTRUMENTS.

AGRICULTURAL.

INSURANCE.

IRON AND HARDWARE.

NEW-YORK CITY.

POLICE INTELLIGENCE.

The very singular case, a sketch of which has already been made in the TIMES, was yesterday brought for examination before Justice COMMERFORD, at the First District Police Court.

Messrs. T. Brady appeared for the defence, and James M. Phillips for the prosecution.

Mrs. Stafford is a resident of South Wallingford, Vermont, and Mr. Burton is a merchant of Philadelphia, where, or in this City, where he formerly resided, he has a wife and children. Complainant is in her 30th year, and Mr. Burton appears to be about 40 years of age.

Mrs. Stafford, it will be remembered, charges Mr. Burton with seducing an orphan upon her parents' hands, and leaving her with child, while she was under the influence of some drug, put into a glass of wine which she drank at his request. The alleged outrage was committed in June last, at a Saratoga hotel, whither she accompanied Mr. Burton for that purpose. She did not arrive at home, where she had chosen to be confined, until the 20th of July. Soon after her arrival at home, she entered into correspondence with Mr. Burton, and subsequently, she says, received from him a letter, which she kept, and which she now produces. She says she had been told by Burton that she had written him a letter, which he had destroyed, and that he had received from her a letter, which he had also destroyed. She says she had not written him any letter, and believed that he had destroyed the letter which he had received from her. She says she had been told by Burton that he had destroyed the letter which he had received from her, because it contained a confession of her guilt, and that he had done so to save her character. She says she believed him, and was satisfied that he had destroyed the letter which he had received from her, and that he had not destroyed the letter which he had written her. She says she had been told by Burton that he had destroyed the letter which he had received from her, because it contained a confession of her guilt, and that he had done so to save her character. She says she believed him, and was satisfied that he had destroyed the letter which he had received from her, and that he had not destroyed the letter which he had written her.

Mrs. Stafford says that on Tuesday afternoon, the prisoner, with another man, made a most daring attempt to rob Selina Marks, a money collector, residing at No. 819 First-avenue, while he was entering a house in Avenue B, between Sixteenth and Seventeenth streets, for the purpose of making a collection of rent. One of the rascals made a sudden spring at him and attempted to stick a plaster over his mouth, but Mr. Marks turned his head so quickly that the plaster only struck him on the cheek. He then called loudly for the police, and Officer Cassidy of the Eighteenth Ward, being close at hand, approached. The two ruffianly garroters ran quickly away, followed in close pursuit by the officer, who was soon joined in the pursuit by Officers Arrowsmith and Burden of the same Ward. The robbers ran down Seventeenth-street into the Seventeenth Ward, and sought refuge in a porter house, where soon after two of them—the prisoners—were captured, and on being brought before Mr. Marks were fully recognized by him.

The Magistrate locked up the accused for examination.

To the Editor of the New-York Daily Times:

The robbery mentioned in the *Journal of Commerce* this morning, of our safe, should have been made to read $3,500, instead of $25,000.

BENEDICT & COIT.

COURT CALENDAR—THURSDAY, Feb. 5.

UNITED STATES DISTRICT COURT.—Nos. 35, 50 to 53.

SUPERIOR COURT.—Nos. 443, 751, 789, 761, 762, 763, 719, 751, 793, 794, 535, 727, 791 to 794, 594, 339, 126, 344, 618, 260, 105, 114, 595, 1818.

COMMON PLEAS.—*Trial Term.—Part I.*—Nos. 297 to 305, 114. *Part II.*—Nos. 17, 154, 141, 18, 82, 272, 245, 276, 281, 282, 283, 284, 285, 195, 286.

SUPREME COURT—GENERAL TERM.—Feb. 4.

Before Justices Mitchell, Roosevelt and Davis.

MOTIONS.

Estate Phillips vs. J. D. Williams.—The order of the special term was reversed, in part, and affirmed as to the motions on the argument.

Barbour vs. Livingston.—Motion for statement by the Court of the facts found. The Court adopted the finding of Mr. Justice CLERKE, who tried the cause.

The Commercial Fire Insurance Company vs. Farris.—Judgment for plaintiff with costs.

INDORSEMENT OF NOTES.

Silas E. Burrit, &c. vs. Henry Vendrejus.—Action by indorsers against drawer of a bill of exchange made in Chihuahua, but payable in New-York, and protested for non-acceptance. Defence, that it was not duly advised for the payee.

Held, that, being payable in New-York, the instrument, as to its transfer, is governed by the laws of New-York, and that by the law a general indorsement is prohibited to transfer a bill or note wherever made.

Exemption overruled and judgment for plaintiffs ordered with costs.

CHOOSES IN ACTION BY JUSTICE STRADDUK.

This action is to recover a bill of exchange drawn in New-Granada, addressed to a drawee in New-York. It was accepted in New-Granada, and the question is by what law is the indorsement of the indorser and transfer to be determined. I think it must be by the laws of New-Granada, where the contract was made. The law of the place where the contract must be tried by is that of the place where it is made. If this indorsement were effectual to pass the title there, it passed it. If it did not so, it did not pass. The fact that it was generally ineffectual is entirely unimportant. The law as to the place of payment do not apply. The question is, did or did not the payee indorse it to the plaintiff. He did as set in New-Granada which is claimed by the plaintiff passed the property, by indorsement to him. The effect of that act is denied by the defendant. Now shall this question be tried? It seems to me beyond question that it must be tried by the laws within the jurisdiction of which the act in dispute was done.

PRACTICE—PROOF OF SERVICE.

Joseph H. Dudley, &c. vs. Selden Stanford.—In an action against an individual as a stockholder the allegation of the dissolution of the Corporation must be clearly proved. Mere insolvency, while the Corporation is using a portion of its property, although heavily incumbered, and more than one of the ordinary business

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[illegible] TO A NOTICE TO A NEW TRIAL IF THE PLAINTIFF ELECTS TO BE NONSUIT.

Mary Stewart vs. Thomas Stewart, &c.—By the original Statutes of Descent, as it stood in 1830, (2 R. S., 88,) the time in the present case of the husband's death) the widow had her whole life "in value thereof of her husband's real estate. The revised statutes, however, expressly provide that a widow shall demand her dower within two years after the death of her husband, and if not demanded within two years after the commencement of an action for the recovery of the same, she shall be forever barred of her dower. (1 R. S., 741, 3d edition of Statutes of Limitations.) The general statute of Limitations does not apply to claims for dower. The suit, therefore, which was commenced by the widow not until twenty years after her husband's death, and twenty years after the passage of the revised statutes, is barred by lapse of time, unless the omission of the defendant to raise the objection in his answer, can be deemed a waiver. On this point the Code says that the objection of "lapse of time" can only be taken by answer. (§ 74. But it also says that the title on that subject shall not apply "to cases where the right of action has already accrued." It also excepts "special cases where a different limitation is prescribed by statute." The Code, therefore, has no application to an action like the present, in which the right, if any, accrued long before the date of the Code, and to which the limitation specially applicable is prescribed by a special statute, namely, the Statute of Dower. That statute is therefore, here, the law, since more than twenty years before the commencement of this suit (if we may consider the burst of the complaint as evidence of its commencement) constitutes an insuperable bar to the plaintiff's claim.

Judgment reversed and complaint dismissed.

Lovell Carr, &c. vs. John G. Bastion.—Demurrer to defendant's counter-claim, in which he alleges that he overpaid, by mistake, partly to the plaintiffs themselves, and partly to a previous firm, whose liabilities in all respects the plaintiffs assumed, about $6,000 on the matters in question, and which sum was recovered to defendant by the plaintiffs and their predecessors.

The Court holds that if the representations made or accounts presented were not only erroneous but fraudulent, it is the right of the party injured to treat them as nonentity erroneous, and to claim a return merely of the money paid, without further damages as for a tort. Also, that where a party, for value received, assumes the obligations of another, he may in equity be sued directly by the claimant.

Judgment of Special Term reversed and demurrer overruled, with liberty to the plaintiffs to reply to the counter-claim in twenty days after notice of this order, on payment of the costs of the demurrer and appeal.

Robert W. Potter, &c. vs. John G. Bastion.—Like judgment as in above case.

TENDER OF MONEY IN FORECLOSURE OF MORTGAGE.

Nicholas G. Kortright vs. Howard C. Cady.—Where a party seeks to destroy the lien of a mortgage by a mere tender, he must bring himself strictly within the terms of the contract, and present the money on the exact day, and not after. In an equity suit to foreclose, the defendant must not only *deny* a tender, if after the day, but must bring the money into Court, as a substitute for the land. And this is especially the rule where there is any fair doubt as to the sum which ought to be paid.

Judgment of Special Term, before Judge COWLES, affirmed, with costs.

William K. Ives vs. William Hahn.—Case submitted by agreement of parties without suit, under the 372d section of the Code. Question—whether the sale made was so far consummated that the goods must pass as the purchasers' under the insolvent assignment for the benefit of their creditors. We think that, as the price was "payable on arrival of the goods in New-York, and, as the purchasers were then insolvent, and, as no equities of third parties had intervened, the right of stoppage in transitu, or of action for the unpaid purchase money, continued notwithstanding the assignment.

Judgment for plaintiff.

The terms of sale were payment on delivery or receipt of the goods. The defendants did not, and could not pay, and thus the delay was made. It was conditional until terms of payment were complied with. Like a sale for cash, where goods are delivered and cash not paid, the delivery is conditional, and title does not pass until payment is made.

Lewis L. Squires vs. Albert M. Lowry, &c.—The appointment of Bailey, in writing, as captain of the ship by all the defendants, and with a description of the parties as "owners of the steamship *Pacific*," on the 15th March, 1851, is conclusive evidence, under their own hands, that there was no owner, at that time, by Brown of his co-owners, and that Bailey was authorized by all the defendants to purchase, as he did between that day and the 19th, the necessary supplies for the voyage.

As in the case of King & Davidson against the same defendants, for the same vessel, (30 Barbour, 582,) we see no ground for disturbing the report of the referee.

Judgment affirmed with costs.

Jonathan M. Staples, &c. vs. John M. Dunlap, &c.—The referee was right in treating the defendant's answer as an admission, substantially, of the alleged sales and deliveries, and as merely setting up as a defence that "the agent of Dunlap & Co., (the defendants,) who *made the said purchases* of Staples, Caldwell & Co., as above stated, has paid to said Staples, Caldwell & Co., in behalf of the defendants, at divers times, moneys to apply on *the said purchases* and in payment thereof." This defence, beyond the admissions in the complaint, was not attempted to be proved.

The execution of the assignments, by the outgoing partners, of their interests to the plaintiffs, was established by proving their handwriting, and that the instruments were seen in possession of the plaintiffs at a time anterior to the commencement of this suit.

Judgment on report in favor of plaintiffs affirmed with costs.

Beach vs. Stanton, &c.—Appeal from order refusing to strike out parts of answer. Dismissed, with costs, on hearing.

Before Judges Roosevelt, Davies and Peabody.

DECISIONS.

The following cases argued at the November term were decided this morning as follows:

THE CASE OF MISS CHURCH.

The People, &c. vs. R. H. Shannon and others.—The appointment of Miss Church as assistant teacher in a different school and at a higher salary, was not a mere transfer from one school to another, but an original appointment to fill a vacancy, and being effected by the casting vote of her brother as Trustee, was contrary to the letter and spirit of the law. The School Commissioners, therefore, Messrs. Shannon and Edwards, were justified in refusing to countersign the warrant for the payment of such increased salary.

Order of Judge Whiting refusing a mandamus affirmed with costs.

RECEIVING STOLEN GOODS—EVIDENCE.

The People, &c. vs. William Banda.—Where a party is indicted for the crime of knowingly receiving stolen goods, it is competent to the prosecutor to give in evidence a series of other acts of the like character, to show the knowledge or *animus* of the accused, and to rebut any presumption of innocent mistake.

It is not competent to the prisoner to introduce the allegations of the persons from whom he received the stolen goods. Such a permission would lead to the fraudulent manufacture of evidence without the penalty of perjury.

The exceptions taken at the trial must, therefore, be overruled, and the judgment of the General Sessions affirmed. Judge PEABODY dissenting.

DISSENTING OPINION OF JUSTICE PEABODY.

PEABODY, J.—The accused was on trial on an indictment for receiving stolen goods, knowing them to be stolen.

The receipt of the goods was proved. There was no direct evidence of the guilty knowledge, but the Jury were asked to infer it.

To disprove his guilt, the accused showed how he received them, that they were left on his premises, with his clerk or agent, in his absence, and the circumstances of the receipt of them, and offered to prove the statements of the man who left them, and the reasons assigned by them for wishing to leave them; but this evidence was excluded by the Court. The ground of the objection appears to be that the evidence would be hearsay. The evidence, as a part of the *res gestæ*, should have been admitted. Other parts have been, and this is not less likely to be useful, nor is it less competent, by the rules of evidence, than the rest. It would probably explain them. A new trial should be granted.

LIABILITIES OF INDORSERS OF NOTES OF BANK.

John Beals, &c. vs. Isaac Parish, &c.—The bank having discounted the note became the holder of it, and the bank as such holder having used due diligence to ascertain the residence of the indorser, and having sent notice of protest to the place designated (although erroneously, as the residence of the indorser was entitled as such holder to recover against the indorser. The plaintiffs, who paid the bank (there being no pretence of intentional misrepresentation on their part,) stood in the shoes of the bank and are subrogated to their rights. Judgment on report in favor of plaintiffs affirmed with costs.

Stanton vs. Stanton, &c.—Appeal from order refusing to strike out parts of answer. Dismissed, with costs, on hearing.

Before Judges Roosevelt, Davies and Peabody.

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Stanton vs. Stanton, &c.—Appeal from order refusing to strike out parts of answer. Dismissed, with costs, on hearing.

SUPREME COURT—SPECIAL TERM.

Before Hon. Judge Peabody.

MOTIONS.

Van Vechten vs. Van Vechten.—Motion denied, unless plaintiff pay showman his reasonable costs within ten days.

Allaire vs. Storm.—The order of arrest must be vacated, and defendant discharged without costs.

Cowes vs. Cowes.—Judgment of divorce ordered.

Freedman vs. Dana.—Motion denied.

Chester vs. Gardner.—Motion granted.

Alexander vs. Alexander.—Decree of divorce granted.

MARINE COURT.

Before Hon. Judge McCarthy.

John Ferrall vs. The Hudson River Railroad Company.—The plaintiff alleges that prior to the 6th of February, 1856, Wells L. Stewart sent to Henry Heerney & Sons, their agents in this City, 45 barrels of whisky, transmitting the same by the Hudson River Railroad. The whisky arrived safely and was stored by the Company in its yard. Sons of Wealth acted Stewart's agent in Albany, and Heerney & Co. acted for the plaintiff, and on the 9th he sent his cartman to get the barrels, sending at the same time the order of Heerney & Co. on one Hall, the keeper of the yard, for their delivery. The cartman showed the order to the keeper, Hall, who requested him to sign a receipt in behalf of the plaintiff, for the whole number of barrels, to save him the trouble of running out into the cold every time to get a receipt for each load as it was carried away. The cartman did so, and during the day he and another carted away thirty-one barrels. On returning the next morning for the remaining fourteen, they were missing, and neither the cartman nor the keeper of the yard could find them, nor have they since been found. The market value and cost of the missing barrels of whisky was $256 50, which sum the plaintiff claims, with interest.

The defendants proved that on the evening of the first day one of the cartmen said that they had it all, which the other denied. The first one, however, stuck to it that they had it all, and wouldn't wait any longer, saying it was a Tom fool's errand to do so. It was also proved that the yard was locked up at night, and was in charge of a watchman. This being the case, and there being a receipt for the whisky in full, the Company denied its liability. The case will be continued to-day, when the decision will be rendered.

COURT OF GENERAL SESSIONS.—FEB. 4.

Before Recorder Smith.

A large miscellaneous audience was in Court this morning, anticipating the trial of several cases of highway robbery, or garroting, as it is popularly styled now. The crowd were disappointed. The prisoners were arraigned, but their counsel not appearing, the cases were laid over till to-morrow. The only case tried was that of John Hoerl, a German butcher, who didn't understand much of any other language than German. He was charged with intent to kill a young Irishman, Thomas Dugan by name, by stabbing him with a knife. Dugan's evidence was all that was taken for the prosecution, and it seriously conflicted with his affidavit before the committing magistrate, besides showing that he sought the assault himself. He said he was stabbed in three places, once on the head, and showed a large rent in his hat as the proof. The Jury examined the hat, but it only satisfied them that if the rent had been made with a knife, while the hat was on the plaintiff's head, Dugan would have been seriously injured, which he admitted he had not been. Mr. Chamberlin, for whom Hoerl killed hogs, said he was present at the affray, but didn't see a knife. A negro testified to the same effect. There being no evidence to sustain the charge, the Recorder advised the Jury to acquit the prisoner. They did so.

The Court then adjourned to 11 o'clock to-morrow.

[Advertisement.]

☞ A retired Physician, whose sands of life have nearly run out, discovered, while living in the East Indies, a certain cure for consumption, bronchitis, coughs, colds and general debility. The remedy was discovered by him when his only child—a daughter—was given up to die. Wishing to do as much good as possible, he will send to such of his afflicted fellow-beings as request it this recipe, with full and explicit directions for making it up and successfully using it. He requires each applicant to inclose him one shilling—three cents to be returned as postage on the recipe, and the remainder to be applied to the payment of this advertisement. Address Dr. H. JAMES, Jersey City, N. J.

[Advertisement.]

GAS FOR THE COUNTRY.—Gas apparatus, after the Patents of the Maryland Portable Gas Company.—C. R. WOODWORTH & Co. are now offering for sale a most complete, cheap, simple and efficient gas machine, adapted in all respects to the wants of private dwellings, public and private schools, churches, colleges, factories, foundries, hotels, watering places, &c., as well as of towns and villages. Details will be furnished, by applying in person or by letter to the office of the Company, where a machine can be seen in operation, and descriptive pamphlets obtained.

C. R. WOODWORTH & Co.,
No. 74 Wall-street, New-York.

[Advertisement.]

☞ White Teeth, Perfumed Breath and beautiful complexion, can be acquired by using the Balm of a Thousand Flowers. What lady or gentleman would remain under the curse of a disagreeable breath, when using the Balm of a Thousand Flowers as a dentrifice would not only render it sweet, but leave the teeth as white as alabaster? Many persons do not know their breath is bad, and the subject is so delicate that their friends will never mention it. Beware of counterfeits. Be sure each bottle is signed JEFFRIES & Co., New-York. For sale by all Druggists.

[Advertisement.]

☞ BRISTOL'S Sarsaparilla Hives; its rivals are dying out. Physicians recommend it for Scrofula, Liver Complaint, Jaundice, Neuralgia, Salt Rheum, Scurvy, Boils, Tumors, Abscesses, Dyspepsia, &c., when all else fails. It is exclusively vegetable. So also are KEMP'S WORM PASTILLES, which are considered by children a treat, not a medicine, and radically and rapidly remove all kinds of intestinal worms. Sold by D. T. LANMAN & Co., wholesale druggists, No. 69 Water-street, New-York, and by all druggists. Sarsaparilla $1, and Pastilles 25 cents per bottle.

[Advertisement.]

READER! STOP AND THINK!—Would you know yourself, your faults, and how to correct them? your capabilities; and how to make the most of them? in what profession, occupation, or sphere you may best succeed? Go to the PHRENOLOGICAL CABINET, No. 308 Broadway, and have your character thoroughly delineated. Have a Chart and full written description, and you may then know all these things and much more.

[Advertisement.]

HOLLOWAY'S PILLS.—PROMPT RELIEF.—No sooner do these searching Pills influence the system, through the fluids which pervade it, than the stomach and bowels begin to perform their duties vigorously, the appetite returns, and new life seems infused into the patient. Sold at the manufactories, 80 Maiden-lane, New-York, and 244 Strand, London; and by all druggists, at 25 cents, 62½ cents, and $1 per box.

[Advertisement.]

PURDY'S NATIONAL THEATRE.—To-night, the same monster entertainment of last evening, at this popular theatre, will be repeated, four pieces, viz: "Mary, Queen of Scots," "School in an Uproar," "Cinder-Nelly," and "Shandy Maguire." Deacon Fox in all four pieces. Mr. ALLEN, Mrs. NICHOLS, Miss HATHAWAY, and all the company in the cast.

[Advertisement.]

☞ S. COATES & Co. have received the highest premium awarded by the American Institute for Portable Gas Works. Apply at No. 376 Broadway, New-York.

[Advertisement.]

HERRING'S PATENT CHAMPION FIRE-PROOF SAFES.—Nos. 185, 187 and 189 Water-street, and No. 5 Murray-street, New-York.

MARRIED.

BROWN—LOCKWOOD.—In this City, on Tuesday, Feb. 3, at the Middle Dutch Church, Lafayette-place, by Rev. Isaac Ferris, D. D., WARREN G. BROWN and EMILY AUGUSTA, daughter of the late Alfred Lockwood, of this City.

WILEY—BOOTH.—In this City, on Sunday, Feb. 1, at St. Luke's Church, by Rev. Isaac P. Tuttle, D. D., Mr. CLINTON WILEY, of this City, to Miss MARY AUGUSTA, daughter of Dr. John J. Booth, of Missouri, and adopted daughter of Augustus Brotherel, of this City.

☞ Philadelphia papers please copy.

FAIRTHORNE—PRENTICE.—In this City, on Tuesday, Feb. 3, by Rev. Dr. Alexander, CHARLES FAIRTHORNE, of Philadelphia, to SUSAN BURGHARD, of New-York.

RUSCHER—GUNS.—At Bridgeport, Conn., on Wednesday, Jan. 28, by Rev. Mr. Towne, Rev. T. K. Beecher, to Miss JULIA, daughter of Rev. Henry Jones.

COMMERCIAL AFFAIRS.

For Markets see Ninth Page.

Sales at the Stock Exchange—Feb. 4.

$8,000	Indiana State 6s	85	100	Reading R. R.	80¾
500	do.	85	300	do.	80¾
28,000	Missouri State 6s	85	100	do.	b10 80¾
10,000	do.	b60	85¾	400	do.	80¾
20,000	do.	84¾	450	do.	b60 80¾
10,000	do.	b60	85¾	2700	do.	80¾
4,000	do.	84¾	300	do.	s60 80¾
20,000	Cali. State 7s	75	84¾	400	do.	s60 80¾
11,000	do.	84¾	400	do.	s60 80¾
1,000	Tenn. 6s	91	90¾	3000	do.	s60 80¾
1,000	N. Y. Cen. R. 6s	98¾	3000	do.	80¾
5,000	N. Y. Cen. Rd. 7s	101	200	do.	s5 80
1,000	Hud. R. Rd. 2d mg	95½	300	do.	s30 80
2,000	Ill. Cen. R'd. bds	90½	200	do.	b10 80¾
90,000	do.	b3	90½	800	N. Y. Cen. R.R.	90¾
1,000	T. H. & Ala.	90¾	200	do.	90¾
25	Butch. & Drov. B'k	120	50	do.	b30 90¾
20	National Bank	107½	5	Mich. Cen. R.R.	86¾
20	Ocean Bank	99	250	do.	c 86¾
10	Bank N. America	105¼	60	do.	c 86¾
15	Park Bank	99¾	50	Mich. S. & N. I. RR.	80
125	Bank Commerce	104	100	do.	b30 80
85	E'r Comm'ce Scrip	105½	400	do.	79¾
50	do.	104	100	do.	79¾
25	Mer. Ex. Bank	103½	200	do.	79¾
10	Metropolitan Bank	106	700	do.	s60 79¾
50	Pennsylv. Coal Co.	100¾	150	Ill. Cent. Railroad	122
47	Ohio Life & Trust Co.	29	70	do.	b30 122¾
100	Canton Co.	28	100	do.	b60 122¾
200	Erie Railroad	61¾	10	Gal. & Chic. R. R.	76
1050	do.	s30	61¾	500	Clev. & Tol. R. R.	b60 76¾
600	do.	s30	61¾	100	do.	c 76
50	do.	s30	61¾	700	do.	s60 76
200	do.	s60	61	50	do.	s30 76¾
100	do.	b30	61¾	1100	do.	76¾
50	do.	s60	61¾	40	do.	s10 76¾
100	do.	b15	61¾	170	Chic. & R. I. R. R.	93¾
100	do.	b30	61¾	264	do.	b60 93¾
100	do.	s60	61	50	La Crosse & Mil. R.	71¾
200	do.	b5	61¾	50	Mil. & Miss. R. R.	71¾
50	do.	b60	61¾	200	Clev. & Pitts. R.	84
100	Harlem R. R.	18¾	600	Hud. Riv. R. R.	b60 51¾
100	do.	s60	18¾			
125	Panama Railroad	98				
200	do.	b60	98¾			

SECOND BOARD.

$12,000	Missouri St. 6s	84¾	100	Clev. & Tol. RR.	s30 76
3,000	Erie R. R. bs '78	94¾	400	do.	76
10	American Ex. Bk.	114¾	100	do.	s30 76¾
50	Canton Co.	28	50	do.	b10 76¾
5	Pacific Mail St. Co.	96½	400	do.	s60 76
50	Ward Cl. & In. Co.	26¾	50	La Cros. & Mil. R.	71¾
10	Mis. R. & N. I. R.	69	20	Erie Railroad	b5 61¾
10	do.	70	200	do.	s30 61¾
750	Reading R. R.	s5	79¾	200	do.	s10 60¾
200	do.	s60	79¾	300	do.	60¾
100	do.	79¾	300	do.	s10 60¾
400	do.	b3	79¾	200	do.	s10 60¾
150	do.	b60	80¾	150	do.	b60 61¾
50	Gal. & Chic. R.	102¾	50	do.	s30 61
200	N. Y. Cent. R.R.	99¾	100	do.	b15 60¾
100	do.	99¾	200	do.	s5 60¾
400	do.	s30	99¾	100	do.	s10 60¾
150	do.	s30	99¾			

WEDNESDAY, Feb. 4—P. M.

The Foreign Trade returns for the port of New-York, for the calendar month of January, were made up officially at the Custom House this afternoon, and enable us to present the following figures, as well for the seven months of the Treasury year as for January:

The entries of Foreign Merchandise at the port of New-York for January, 1857, were:

In Dutiable Goods, Consumption Direct	$15,200,084
Dutiable Goods Warehoused	1,569,266
Free Goods	850,932
Total Entries	$17,130,283
Against January, 1856	15,538,700
Increase this Year	$2,596,583

The withdrawals from Public Warehouse during the month amounted to $2,675,755, or $704,489 more than went into store—so that the total of the Goods marketed is $18,824,712. There was entered during the month, not included in the above, Foreign Specie and Bullion to the value of $286,509.

The Exports of the month of January were:

In Domestic Produce	$4,542,942
Foreign Reëxported	340,329
Specie	1,307,943
Total of all Exports	$6,192,116
Against January, 1856	5,616,064
Increase this year	$576,052

We annex our usual monthly Import, Export and Coinage Tables, commencing with the Current Treasury Year, July 1, 1856, and comparing with the corresponding seven months of the previous Treasury Year:

IMPORT OF FOREIGN GOODS AT NEW-YORK.

	1856-7. From July 1.	1855-6. From July 1.
July	$25,477,000	$16,240,000
August	23,816,000	16,458,000
September	15,225,000	13,915,000
October	18,731,000	15,551,000
November	14,147,000	11,938,000
December	11,786,000	15,416,000
January	18,120,000	15,524,000
Total 7 months	$122,302,000	$105,037,000
Increased Import this year		$17,265,000
Foreign Specie entered	$458,000	$1,976,000

EXPORT OF DOMESTIC PRODUCE FROM NEW-YORK.

	1856-7. From July 1.	1855-6. From July 1.
July	$6,901,000	$8,961,000
August	5,618,000	4,321,000
September	7,045,000	5,229,000
October	6,180,000	6,614,000
November	7,542,000	8,344,000
December	8,247,000	8,820,000
January	4,544,000	5,258,000
Total 7 months	$46,022,000	$42,507,000
Foreign reëxported	2,469,000	2,666,000

EXPORTS OF SPECIE FROM NEW-YORK.

	1856-7. From July 1.	1855-6. From July 1.
July	$7,772,000	$2,928,000
August	8,202,000	2,609,000
September	3,739,000	1,832,000
October	4,997,000	1,188,000
November	2,856,000	1,012,000
December	1,779,000	967,000
January	1,208,000	105,000
Total 7 months	$25,758,000	$10,656,000

EXPORTS FROM NEW-YORK RECAPITULATED.

	SEVEN MONTHS. 1856-7. Treas. year July 1.	1855-6. Treas. year July 1.
Domestic Produce	$46,022,000	$42,507,000
Foreign Reëxported	2,458,000	2,666,000
Specie	25,758,000	10,656,000
Total all Exports	$74,324,000	$55,829,000
Increased Export this year		$18,495,000

CUSTOMS REVENUE OF U. STATES AT NEW-YORK.

	1856-7. From July 1.	1855-6. From July 1.
July	$5,401,144	$3,787,842
August	3,384,119	4,290,796
September	3,702,199	3,672,379
October	3,891,824	3,227,195
November	2,774,644	3,171,799
December	2,051,949	2,984,942
January	4,577,878	4,626,646
Total 7 months	$27,473,956	$30,771,029

BANK STATEMENTS.

	Loans.	Specie.	Circulation.	Deposits.
July 14	$96,[illegible]	[illegible]	[illegible]	[illegible]
July 21	1,[illegible]	[illegible]	[illegible]	[illegible]
July 28	1,[illegible]	[illegible]	[illegible]	[illegible]
Aug. 4	1,[illegible]	[illegible]	[illegible]	[illegible]
Aug. 11	1,[illegible]	[illegible]	[illegible]	[illegible]
Aug. 18	1,[illegible]	[illegible]	[illegible]	[illegible]
Aug. 25	1,[illegible]	[illegible]	[illegible]	[illegible]
Sept. 1	1,[illegible]	[illegible]	[illegible]	[illegible]
Sept. 8	1,[illegible]	[illegible]	[illegible]	[illegible]
Sept. 15	1,[illegible]	[illegible]	[illegible]	[illegible]
Sept. 22	1,[illegible]	[illegible]	[illegible]	[illegible]
Sept. 29	1,[illegible]	[illegible]	[illegible]	[illegible]
Oct. 6	1,[illegible]	[illegible]	[illegible]	[illegible]
Oct. 13	1,[illegible]	[illegible]	[illegible]	[illegible]
Oct. 20	1,[illegible]	[illegible]	[illegible]	[illegible]
Oct. 27	1,[illegible]	[illegible]	[illegible]	[illegible]
Nov. 3	1,[illegible]	[illegible]	[illegible]	[illegible]
Nov. 10	1,[illegible]	[illegible]	[illegible]	[illegible]
Nov. 17	1,[illegible]	[illegible]	[illegible]	[illegible]
Nov. 24	1,[illegible]	[illegible]	[illegible]	[illegible]
Dec. 1	1,[illegible]	[illegible]	[illegible]	[illegible]
Dec. 8	1,[illegible]	[illegible]	[illegible]	[illegible]
Dec. 15	1,[illegible]	[illegible]	[illegible]	[illegible]
Dec. 22	1,[illegible]	[illegible]	[illegible]	[illegible]
Dec. 29	1,[illegible]	[illegible]	[illegible]	[illegible]
Jan. 5	1,[illegible]	[illegible]	[illegible]	[illegible]
Jan. 12	1,[illegible]	[illegible]	[illegible]	[illegible]
Jan. 19	1,[illegible]	[illegible]	[illegible]	[illegible]
Jan. 26	1,[illegible]	[illegible]	[illegible]	[illegible]
Total 7 months	$[illegible]	[illegible]	[illegible]	[illegible]

There was a larger supply of means in the Street to-day offering on demand loan, and the Stock Brokers made up their wants with less effort than on Tuesday or Monday. The Discount Brokers report rather firmer rates for money on mercantile paper, the late Southern mails having brought into market a liberal offering of choice short acceptances, which go at 8@8½ ₰ cent.; and dates longer than 60 days, 9@9½ ₰ cent. Fair paper rules 10@12 ₰ cent. The Custom duties this week are quite heavy; to-day $286,000. The whole receipts of the Sub-Treasury $210,411; disbursements, $153,549; balance this afternoon, $18,300,448. Although the Custom-House receipts collected at this port since the 1st July, (the beginning of the current Treasury year,) and paid into the Sub-Treasury, appear by our returns above to exceed the corresponding seven months of the previous Treasury year by $3,702,255; the Specie balances to the credit of all accounts in the Government Office in this City are only $785,406 to Jan. 31 in excess of last year; so that the disbursements of the Government have very nearly kept pace with its enhanced revenues, so far as New-York is concerned. The *Persia* took out $375,263 in Gold. It will be noticed from our January trade-returns that while $1,008,000 in Specie went out, for Foreign ports, $686,000 in Foreign Specie was brought in, leaving the loss to the Specie reserves of this City, for the entire month, only $422,000, while the California deliveries were $2,487,000.

The *Bears* on the Stock Exchange, availing of the active movement in Money for a day or two past, assailed the Railroad list this forenoon with more than their usual spirit of late, and the market at the Second Board closed lower on Erie, Reading, Toledo and Michigan Southern, by ¼@¾